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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/905,486	07/16/2001	Anthonius Martinus Lambertus Habraken	BO 43780	3688
466	7590	11/17/2003	EXAMINER	
YOUNG & THOMPSON 745 SOUTH 23RD STREET 2ND FLOOR ARLINGTON, VA 22202			HARAN, JOHN T	
			ART UNIT	PAPER NUMBER
			1733	

DATE MAILED: 11/17/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

CLOB

<b>Office Action Summary</b>	<b>Application No.</b> 09/905,486	<b>Applicant(s)</b> HABRAKEN ET AL.	
	<b>Examiner</b> John T. Haran	<b>Art Unit</b> 1733	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) ☒ Responsive to communication(s) filed on 02 October 2003.

2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) ☒ Claim(s) 1-13 is/are pending in the application.

4a) Of the above claim(s) 6-13 is/are withdrawn from consideration.

5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.

6) ☒ Claim(s) 1-5 is/are rejected.

7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.

8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) ☒ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on 16 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☒ All   b) ☐ Some \*   c) ☐ None of:

1. ☒ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>2</u> .	6) <input type="checkbox"/> Other: _____

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PTOL-326 (Rev. 11-03)

Office Action Summary

Part of Paper No. 8

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## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election with traverse of Group I, claims 1-5 in Paper No. 7 is acknowledged. The traversal is on the ground(s) that the device of claim 6 can not be used to practice another method since the device of claim 6 expressly uses the method of claim 1. This is not found persuasive because the device of claim 6 only requires a rotatable carrier and a light radiation source, while the device can be used to perform the method of claim 1 it can also be used to perform materially different methods such as curing a coating on a disc or curing an adhesive to bond two discs together without stabilizing glue immediately behind an expanding front.

The requirement is still deemed proper and is therefore made FINAL.

### ***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on 10/2/03 has been considered by the examiner.

### ***Specification***

3. The specification is objected to because it does not have the required section headings (See MPEP 608.01(a)).

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

#### **Arrangement of the Specification**

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

(a) TITLE OF THE INVENTION.

(b) CROSS-REFERENCE TO RELATED APPLICATIONS.

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- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (e) BACKGROUND OF THE INVENTION.
  - (1) Field of the Invention.
  - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (f) BRIEF SUMMARY OF THE INVENTION.
- (g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (h) DETAILED DESCRIPTION OF THE INVENTION.
- (i) CLAIM OR CLAIMS (commencing on a separate sheet).
- (j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

### ***Claim Observations***

4. It is noted that in claim 1 the phrase "to produce a disc, for example an optical data carrier, such as a DVD" only limits the claim to require producing a disc. There is no requirement that the disc be limited to an optical data carrier or to a DVD. If applicant wishes to limit the claim to an optical data carrier or to a DVD the claim should be amended to say - - to produce an optical data carrier - - or - - to produce a DVD - -.

### ***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 3-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 3 is indefinite because it is unclear if the claim is intended to be dependent upon claim 1 or is intended to be an independent claim. While the preamble states it is a method according to claim 1, it goes on to restate all the steps of claim 1, and accordingly is set up like an independent claim and not a dependent claim. If claim 3 is intended to be independent the preamble should be amended to delete - - according to Claim 1, - -. If claim 3 is intended to be a dependent claim then it is suggested to amend the body of the claim to specify that the rotating member has a mandrel and that the mandrel is expanded to bear flush against the wall of the central hole of the disc half. It is also suggested to refer to the "one disc half" as - - the first disc half - - for clarity purposes.

Claim 4 is indefinite because it is unclear where the mandrel is located and what purpose it serves. It is suggested to amend the claim to depend from claim 3 or to specify that the mandrel is located on the rotary member and expands to bear flush against the wall of the central hole of the disc half.

Claim 5 recites the limitation "the mandrel" in line 4. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1 and 2 are rejected under 35 U.S.C. 102(e) as being anticipated by Ewerlof et al (U.S. Patent 6,402,880).

Ewerlof et al discloses a method for gluing together first and second disc elements to manufacture a DVD wherein a flexible center peg is placed in the center hole of a rotating table, a bottom substrate is pressed down on the center peg into abutment with the rotating table wherein the peg seals against the edge of the substrate's center hole; a glue ring is applied to the bottom substrate so that it contacts the peg; the top substrate is pressed down against the first substrate to enclose the glue; the assembly is rotated to spread the glue along an expanding front between the two substrates; the glue around the peg (immediately behind the glue front) is cured (stabilized) with UV light radiation; the entire disc is subsequently irradiated with UV light after spreading of the glue to cure all the glue; and the glued together disc is removed from the rotating table (Column 3, line 61 to Column 5, line 46). Ewerlof et al anticipate claims 1 and 2.

***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ewerlof et al (U.S. Patent 6,402,880) in view of Kazumi (JP 62124629).

Ewerlof et al is relied upon for its teachings as applied above to claims 1 and 2. Ewerlof et al teaches providing the rotary member with a peg (mandrel) that comprises a stable core with a flexible, elastomeric outer layer or covering and that the peg acts as a seal against the edges (walls) of the central holes of the disc elements (Column 5, lines 38-45), but is silent towards expanding the peg (mandrel) to bear flush against the edges of the central holes of the disc elements.

Kazumi teaches a method for bonding discs together wherein the discs are placed on a table with a center boss (mandrel) wherein the boss has an elastic sleeve around it which is expanded by pressurized air to press against the edges of the center holes of the discs in order to form a seal and prevent adhesive from flowing into the holes (See English abstract).

One skilled in the art would have readily appreciated that the mandrels of Ewerlof and Kazumi accomplish the same goal of sealing by having the mandrel bear flush against the walls of the central holes of the discs and are functional equivalents and alternate expedients. One skilled in the art would readily appreciated using a known alternate expedient in the method of Ewerlof. Additionally one skilled in the art would have recognized that the expanding mandrel of Kazumi allows for bonding discs with different sized holes without having to have a separate mandrel for each size hole as would be necessary in the method of Ewerlof. It would have been obvious to one of



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ordinary skill in the art at the time the invention was made to alternatively use an expanding boss (mandrel) and expanding the boss with pressurized air to bear flush against the wall of the central hole of the disc in the method of Ewerlof et al as suggested in Kazumi.

Regarding claim 4, the boss (mandrel) of Kazumi has a relatively hard core and a flexible sleeve that surrounds the core and expands by means of pressurized air (See English abstract and Figures).

Regarding claim 5, one skilled in the art would have readily appreciated that the second disc half would press against the expanded boss as it is brought into contact with the first disc half and in the process would scrape down any adhesive on the boss (mandrel) along the way. It would have been obvious that such would occur in the method of Ewerlof et al, as modified above.

### ***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ohno et al (U.S. Patent 6,613,170) is cited as a reference that teaches bonding disc substrates together wherein the adhesive at the inner region of the disc is cured (stabilized) with UV light first to stop the glue from spreading into the central holes of the disc substrates and then later irradiating the entire region of the disc to cure all the adhesive. It is noted that the adhesive is placed so that it spreads both inwardly and outwardly so there is no stabilizing of glue behind a glue front.

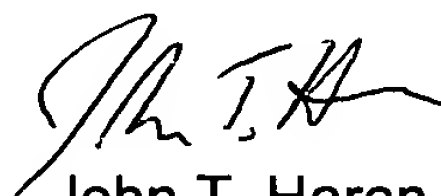


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12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **John T. Haran** whose telephone number is **(703) 305-0052 or (571) 272-1217 as of 12/19/03**. The examiner can normally be reached on M-Th (8 - 5) and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on (703) 308-3853. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9310.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

  
John T. Haran  
Examiner  
Art Unit 1733